

N THE HIGH COURT OF KERALA AT ERNAKULAM

WP(C).No. 27590 of 2009(P)

**1. N.SREEKUMAR, SENIOR BRANCH MANAGER,
... Petitioner**

Vs

**1. STATE INFORMATION COMMISSION, KERALA,
... Respondent**

2. STATE CHIEF INFORMATION COMMISSIONER,

3. THE ALAPPUZHA DISTRICT CO-OPERATIVE

4. A.A.SOLOMON, ARAKKAL HOUSE,

For Petitioner :SRI.S.P.ARAVINDAKSHAN PILLAY

**For Respondent :SRI.M.AJAY, SC, STATE INFORMATION
COMMN**

The Hon'ble MR. Justice S.SIRI JAGAN

Dated :20/05/2010

O R D E R

S. SIRI JAGAN, J.

W.P.(C) No.27590 OF 2009

Dated this the 20th day of MAY, 2010

J U D G M E N T

The petitioner challenges Ext.P1 letter of the third respondent and Ext.P1(d) order of the State Information Commission. Inter alia, the petitioner contends that the petitioner had not been given opportunity of being heard. Ext.P1

is the order passed by his employer initiating disciplinary proceedings for non-compliance with the provisions of the Right to Information Act on the basis of the direction issued by the State Information Commission by Ext.P1(d) order. One of the contentions raised by the petitioner is that Ext.P1(d) order has been passed without notice to the petitioner.

2. The learned Standing counsel appearing for the State Information Commission submits that it appears that the petitioner has not been given notice before passing Ext.P1(d). If that be so, the same is violative of principles of natural justice. Accordingly, Exts.P1 and P1(d) are quashed. The State Information Commission, the first respondent herein is directed to pass fresh orders, after affording an opportunity of being heard to the petitioner as expeditiously as possible, at any rate, within two months from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE